

City Council and Special and Regular Meetings, January 25, 2000

Twin Pines Senior and Community Center, 1223 Ralston Avenue, Belmont

SPECIAL MEETING: TIME 6:00 P.M.

CLOSED SESSIONS

A. Conference with Legal Counsel, anticipated litigation, pursuant to Government Code

Section 54956.9:

1. One case

B. Conference with Legal Counsel, anticipated litigation, pursuant to Government Code Section 54956.9:

1. Seven cases

C. Conference with Property Negotiator, Susan Westman, pursuant to Government Code Section 54956.8.

1. APN'S: 040-331-030; -020

D. Public Employee Appointment, pursuant to Government Code Section 54957

1. Senior Planner

Attended by Councilmembers Warden, Hahn, Wright, Rianda, Cook, Acting City Managers Fil and Curtis attended 1-A and 1-B, City Attorney Savaree, Community Development Director Vanderprien attended 1-C. City Clerk was excused from attending. Closed Session 1-D not held.

Adjournment at this time, being 7:00 P.M., these Closed Sessions were adjourned.

Meeting not tape recorded

Kathy Kern

Belmont City Clerk

STUDY SESSION

Discussion regarding City Council Benefits Package.

This Study Session will be held on February 8th.

REGULAR MEETING - 7:30 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Warden, Hahn, Wright, Rianda, Cook

COUNCILMEMBERS ABSENT: None

Staff Present: Acting City Managers Curtis and Fil, Community Development Director Vanderpriem, Police Commander Mattei, Fire Chief Jewell, Parks and Recreation Director Mittelstadt, Assistant to the City Manager Williams, City Clerk Kern

Others Present: City Treasurer Mason

REPORT FROM CLOSED SESSIONS

Mayor Cook announced that direction was given, but no action taken.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Cook.

SPECIAL ORDERS OF THE DAY/PRESENTATIONS

Mayor's Proclamation naming February Library Lover's Month.

Mayor Cook presented this Proclamation to Ms. Chiochios, Branch Manager of the Belmont Library.

Ms. Chiochios presented the Councilmembers with coupons for a free VIP tour of the library and thanked them for all their support of the Library.

C. Rianda invited everyone to join the Friends of the Library group.

Mayor's Proclamation of Appreciation for the DARE Car contributors.

Mayor Cook and Commander Mattei presented Proclamations and plaques to 13 contributors of supplies and auto parts for the DARE Car. She thanked everyone for their contribution.

Resolution of Appreciation for Lyle D. Johnson for outstanding service as the City Contract Engineer, Department of Public Works.

Mayor Cook presented this Resolution of Appreciation to Lyle Johnson and thanked him for all his service on behalf of the citizens of Belmont. Lyle said it was a privilege to have worked for the City and under Public Works Director Curtis.

Resolution honoring the Memory of Gesha Copney for outstanding service to the City of Belmont and the Belmont Police Department.

Mayor Cook read this Resolution and explained that the Police Department would present this to Gesha Copney's family in her memory.

PUBLIC/COUNCIL COMMENTS

C Rianda explained that she had sent a fax to Council today regarding the C/CAG

Review and approval of the Implementation of the Land Use component of the 1999 Congestion Management Program. She said she would be voting on this on Thursday night and would appreciate Council input. C.Rianda explained that Belmont had been awarded \$221,250 for 2 of the 10 projects that had been submitted by the City.

C. Cook noted that the 75th Anniversary committee was working on various activities to be celebrated in the year 2001

C. Cook explained that she and C. Wright had attended the Carlmont High School Crab Feed on Saturday night.

Mayor Cook announced that the Study Session with Ekona Architects set for 1/26 at 6:00 P.M. had been cancelled. She said the meeting for the Walgreens development would begin at 7:00 P.M.

Mr. Moore 2806 San Ardo Way, asked Council to support the No on Proposition 28 with a Resolution. He said this proposition would invalidate Proposition 10 which had been successful in educating young people against smoking.

Council concurred to have staff to put this on the next agenda for consideration.

C.Hahn informed the Council that J. Beweley would be leaving the South Bayside System Authority for an overseas position in Egypt. She reported that they had begun a search for a new director.

AGENDA AMENDMENTS

Mayor Cook indicated that she would recuse herself from voting on the Notre Dame Ordinance.

CONSENT CALENDAR

Approval of meeting minutes: Special Meeting, 12/28/99

Approval of Warrant List Dated: 12/29/99 in total amount of \$522,620.16 and dated 1/06/00 in total amount of \$777,467.42.

Written Communication (None)

Resolution No. 8675 approving the purchase of an Aerial Lift for the Public Works Department from Pacific Utility Equipment for an amount Not To Exceed \$49,875.52.

Resolution No. 8676 of Appreciation for Lyle D. Johnson for outstanding service as the City Contract Engineer, Department of Public Works.

Resolution No. 8677 accepting work, approving contact Change Order #1 and authorization to issue Notice of Substantial Completion for Upper Lock Paving, Andreini Brothers, Inc., City Contract No. 394A.

Resolution No. 8678 approving award of contract to Casey Construction in the amount of \$328,758.00 for the North Road Pump Station, City Contract No. 404.

Resolution No. 8679 authorizing sidewalk and curb ramp improvements on Granada Street between Wessex Way and entrance to Nesbit School, to Golden Bay Construction in an amount Not to Exceed \$11,090.00.

Resolution No. 8680 approving installation of a Stop Sign on Granada Street in the Southbound direction at Wessex Way.

Resolution No. 8681 rescinding Resolution No. 8638, support of Californians Opposed to School and Road Delay.

Ordinance No. 949 approving a rezoning for a Conceptual Development Plan to allow a gymnasium, two story addition, and 25-meter swimming pool at 1540 Ralston Avenue (Appl. No. 98-1111).(2nd reading and adoption)

Resolution No. 8682 January 31 - February 7, 2000 as Voter Registration Week.

Resolution No. 8683 approving Investment Policy.

Motion approving letter to legislators requesting additional funding for library operations.

Resolution No. 8684 honoring the Memory of Gesha Copney for outstanding service to the City of Belmont and the Belmont Police Department.

Consent Calendar adopted. Moved by C Rianda, seconded by C. Hahn and approved unanimously by roll call vote. C.Cook recused herself from voting on the Ordinance for Notre Dame.

Meeting Recess: at this time, being 8:00 P.M. this meeting was recessed.

Meeting Reconvened at this time, being 8:05 P.M. this meeting was reconvened.

PUBLIC/HEARINGS

Public Hearing to consider introduction of an Ordinance approving 11 parcels on the 2500 block of Ralston Avenue (Belmont Canyon Rd.) west of Cipriani Boulevard, specifically, rezoning of an approximate 2.54-acre area from R-1B (Low Density Residential) District to HRO-2 (Hillside Residential and Open Space) District. This rezoning will make the zoning of the subject parcels conform to the General Plan (Appl. No. 99-1128).APN: 043-320-070, -080, -100, -400, -410, -450, -580, -590, -600, -610, -620; CEQA Status: San Juan Hills Area Plan EIR; Existing Zoning: R-1B; Proposed Zoning: HRO-2; General Plan: Hillside and Open Space (San Juan Hills Area Plan); City of Belmont (Applicant) .

Community Development Director Vanderpriem explained this rezoning was part of the San Juan Area Plan. The property consisted of five parcels owned by the City and six owned privately. The project is the last phase of this rezoning and had been postponed because of legal actions. He said they had received an application to build a home of 3500 s.f. and that request could not be heard by the Planning Commission because the zoning was still in the old single family residential zone. The zoning needed to be consistent with the General Plan and currently it was not. He reported that the Planning Commission had recommended this rezoning be completed.

Community Development Director Vanderpriem explained that the rezoning would implement the land use element of the San Juan Hills Plan for this area and allow property owners to proceed with development applications for these lots. He said that this area needed to be rezoned to be in compliance with the General Plan. He explained that a road could be constructed using a roadway plan among the five property owners.

In response to C. Cook, Community Development Director Vanderpriem explained that the property owners would not have any zoning guidelines and an application could not be considered by the Planning Commission because it did not conform to current City policies

C. Rianda asked if these property owners would be required to build the entire road at one time as stated in the San Juan Plan.

Community Development Director Vanderpriem explained that the San Juan Plan required an entire road plan be developed. He said that since a road plan had been developed for this area, the City had purchased two more

lots. Community Development Director Vanderpriem said staff would have to determine how much road needed to be constructed.

Public Works Director Curtis said it would be better to have an entire road constructed at one time to assure the integrity of the road.

Community Development Director Vanderpriem stated that the owners would be encouraged to develop an entire roadway plan.

Mayor Cook opened the public hearing.

Mr. Willett, 12135 Alba Road, Ben Lomond, owner of 1218 Ralston Avenue, reviewed the history of his lot and the actions that had been taken over the last 14 years. He said that when he bought this lot he had direct access to Ralston Avenue but when he applied for a building permit he was denied because of health and safety reasons. Mr. Willett said that if this rezoning was approved, he would only be able to build a 1200 sf home and would have to build a road. He said it was not fair for the City to have open space and the property owner to not have anything. Mr. Willett said it was not economically feasible to bring in a road for a 1200s.f home.

In response to C. Warden, Community Development Director Vanderpriem said that the findings for this district and the R-1 zoning district were the same. He explained that a Planning Commission application would allow the findings for a larger home. The application could be granted if the zoning was changed from the current zoning.

Community Development Director Vanderpriem stated that one of the reasons the road was not finished, was because PG&E had placed a power pole in the middle of the road and would not relocate it unless the former owner paid \$50,000 in relocation fees. He said the City Attorney's office had sent a letter to PG&E and requested that the pole be moved, which they finally agreed to do.

City Attorney Savaree explained that there had been some cases in the last 10 years that required PG&E to participate in moving these poles from the right-of-way.

In response to Mr. Willett, Community Development Director Vanderpriem explained that under the current zoning there was no provision for transferring density.

Mr. Willett, said he did not agree with the penalty placed on the sale of s.f. on contiguous lots. He said it was a disincentive to sell 900 s.f. of density.

Community Development Director Vanderpriem explained that this issue could be brought to the Planning Commission for discussion. He said that if the Commission concurred, this could be brought to Council before the next building season.

Council concurred to have staff investigate the issue of density transfer with the Planning Commission.

Mr. Fallaha, 708 Crane Avenue, Foster City, owner of 7,900 s.f. lot at the end of this road, explained that PG&E agreed to move the power pole currently in the roadway and provide an easement for the guy wires. He explained that he would like to build a 2400 s.f. home because a small home would not fit in the neighborhood.

City Attorney Savaree clarified that this Council discussion was not about particular zoning issues. What was before Council was the rezoning that would allow applicants to come forward with projects.

C. Wright left the meeting at this time, being 8:50 P.M.

C. Wright returned to meeting at this time 8:53 P.M.

Community Development Director Vanderpriem said that City staff had moved this rezoning forward so Mr. Fallaha's application could be put forward. He could apply for a FAR exception under the new zoning.

Mr. Fallaha wondered why the San Juan Plan zoning was extended to these five homes.

Mr. Chapman 2933 San Juan Blvd., asked for clarification regarding purchasing a lot in an HRO-2 district. He asked if he could transfer 1200 s.f. of density to another HRO-2 lot and build. He also noted that he could design a 1200 sf home and fill 40% of a lot or an 1800 s.f. home and take up 40% of the lot. Mr. Chapman said Council and the Planning Commission needed to address Floor Area Ratio to make residences desirable.

C. Cook said no building permit could be issued on these lots because they do not conform with the General Plan.

Mr. Chapman asked if he could transfer the density from one of these lots to another lot in the San Juan Canyon.

Community Development Director Vanderpriem clarified that density transfer was limited to the same roadway so as not to dilute owners to pay for the road. He said they did not want to have very large homes along some streets which could happen if transfers were allowed from other areas of the district.

Mr. Willet said that he was afraid that the City would come and say that his lot was worthless and not provide any economic recourse to him.

On motion by C. Rianda, seconded by C. Wright, and approved unanimously, to close Public Hearing.

Council discussion ensued.

Action: on motion by C. Rianda, seconded by C. Hahn, and approved unanimously on roll call vote to Introduce Ordinance by Title: Ordinance approving a rezoning of properties along the 2500 Block of Ralston Avenue (Belmont Canyon Road) from R-1B to HRO-2 District (Appl. No. 99-1128) Waive further reading and continue to meeting of Feb. 8th for 2nd reading and adoption.

Meeting Recess at this time being 9:10 P.M.

Meeting reconvened at this time being 9:15 P.M.

OLD BUSINESS

Request to City Council to reconsider actions taken on Mills Avenue regarding the installation of red curbs.

Public Works Director Curtis explained that the Council had given direction to provide traffic restrictions on Mills Avenue in October, 1999. He said staff would like to revisit this issue in October, 2000, after this traffic calming plan had been in effect for a year.

Council concurred with staff recommendation to study this issue again in October, 2000.

NEW BUSINESS -

Discussion regarding Grand Jury Report.

City Clerk Kern explained that she would include this information with the election material.

Discussion and direction on a tracking system for City Council items.

C. Hahn gave a couple of instances where an item would appear on a tracking form: 1).Council concern; or, 2). member of the public makes a request of a Councilmember. She suggested that the form be submitted to the City Clerk's office and then be distributed to the appropriate Department for action. C. Hahn said this form could be used to track items at Council meetings that need follow up by staff.

Council discussion ensued.

Mayor Cook said she would like to have a procedure developed for this form.

Council concurred to have staff research other cities policies and procedures and report back. They agreed they would like a log kept and put in The Weekly Wrap, but they would also like a hard copy of the individual action items to track for themselves.

BOARD, COMMISSION, COMMITTEE UPDATES, AND STAFF REPORTS

Grade Separation Report

Public Works Director Curtis reported that two sets of stairs were underway at the Ralston Station. He said the north and south opening of Old County Road was slated to be open on Monday February 2nd. He explained that work on the Wendy's corner of Old County Road would be open the middle of February as a three way intersection and Ralston/ECR should be open as a three way intersection on Friday, February 11th. He noted that Howard Avenue in San Carlos would open on February 9th and Brittan Avenue would close at that time and the parking lots would be open February 7th. Public Works Director Curtis explained that he and his staff had been working with the Transportation Authority on two important issues: 1). The Joint Powers Board change orders on the Grade Separation project must be supported financially by the Transportation Authority: and , 2). Develop an agreement regarding the funding agreement regarding the property acquisition. He said the two staffs were disputing whether the reimbursement was 100% or 50%. City Attorney Savaree explained that she had a letter from the Transportation Authority Attorney stating that he did not feel this was a contractual dispute but an accounting issue that could be worked out between the two staffs. She said that if it was not worked out, she would be back in touch with the Attorney.

Verbal updates on Oracle Project and Direct Access.

Public Works Director Curtis said he and the staff had encouraged Caltrans to do the environmental and design work at the same time for this project. He noted that the value enhancement study indicated that a \$1.2 million value would be added to the Caltrans right-of-way which was excellent news.

C.Rianda expressed her concern that the parking at the ball fields would not be ready for the opening of baseball and softball. She requested that staff contact Oracle to be sure that this parking was available in time.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Discussion regarding review of downtown parking availability and future Planning (Warden)

C.Warden said he would like to see a plan put in place to handle the shortage of parking in the downtown before the General Plan review.

Public Works Director Curtis stated he would return the 2nd meeting in February with a report on long /short term parking solutions.

Discussion regarding putting business license holders on the City web-site.(Warden)

C. Warden explained he would like to see these license holders linked to the web to provide a service for their fee and provide an e-mail address that could be used to contact home based businesses.

Finance Director Fil stated that his staff was working on this project and would be happy to look into these added features.

Discussion with school district about potential traffic mitigation's. (Warden)

C.Warden asked if the schools had a long term traffic plan for their campuses.

Council concurred this would be a good subject for the elementary school 2x2 meeting and a discussion item for the Joint Meeting later in the year.

Consideration to raise first-time homebuyer loan sales price limits. (Warden)

C.Warden explained that he thought the limit should be raised because of the current market.

Community Development Director Vanderpriem stated that he would be bringing this item to Council in March.

Consideration of open forum to be held for local builders and contractors. (Warden)

C.Warden said he would like to have a forum where builders and contractors and City staff could sit down and work out the misconceptions about the building and planning processes in Belmont.

Community Development Director Vanderpriem stated he would sit down with C. Warden to work on a format for this type of meeting.

Consideration of enforcement options for parked vehicles blocking city streets. (Warden)

C.Warden stated his concern about cars being parked on narrow streets which did not allow traffic to pass between them. He said he was concerned that fire trucks would not be able to get through in case of an emergency.

Police Commander Mattei stated that when this situation was reported they would contact the owners and ask them to move their vehicles.

Public Works Director Curtis stated that there were streets that fit into the San Juan Blvd Traffic Plan and he would present these to the traffic calming task force for discussion.

Consideration of restrictions on use of American flag for advertising. (Warden)

C.Warden read the flag display regulations that he had found on the Internet.

City Attorney Savaree said she would look into these regulations to see if any restrictions could be placed on businesses using the flag as an advertisement, without following the guidelines for appropriately displaying the flag.

Meeting Extended: at this time, being 10:30 P.M. the meeting was extended for 10 minutes, on motion by C. Hahn, seconded by C. Warden, and approved unanimously.

Consideration of direction to schedule a presentation and discussion for the Drs Jadallah and Jordon project so Council can give input and direction early in process. (Rianda) C.Rianda asked if the Council felt it was important to give input on developments in high impact areas before money and time had been spent by the developers. She said she thought the Doctors may want to have input on their project before they went any further in the process.

Meeting Extended: at this time, being 10:40 P.M. the meeting was extended for 5 minutes, on motion by C. Hahn, seconded by C. Warden, and approved unanimously.

Community Development Director Vanderpriem explained that he would send an letter after the Planning Commission design review presentation with specific comments and direction to the applicant. He noted that if Council felt more direction was needed a Study Session could be scheduled.

C. Rianda said she would like to have a Study Session to give input on this project.

C.Wright stated that he thought it would be valuable to the applicant if Council could provide constructive input at the beginning of the process.

C.Cook said she would like to have a process in place so that the Council was not doing design review on every project.

Council concurred they would like a chance to give input on this project and requested that staff put this on the next agenda for a study session

Meeting Extended: at this time, being 10:45 P.M. the meeting was extended for 5 minutes, on motion by C. Warden, seconded by C. Hahn, and approved unanimously.

Community Development Director Vanderpriem clarified staff direction to provide policy options to Council regarding what design review applications would be seen by the Council or by the Planning Commission and direct staff to agendize a Study Session on this project for February 22nd

ADJOURNMENT at this time, being 10:50 P.M., this meeting was adjourned.

Kathy Kern

Belmont City Clerk

Meeting Tape Recorded

Tape No. 448

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